

The Honorable Ricardo Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

| | | |
|---------------------------|---|------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | NO. CR19-203RSM |
| Plaintiff, |) | |
| |) | ORDER GRANTING |
| VS. |) | STIPULATED MOTION TO PROCEED |
| |) | WITH SENTENCING BY VIDEO |
| ANGELA DAVINA ENCINAS, |) | REMOTE HEARING |
| |) | |
| Defendant |) | |
| _____ |) | |

THE COURT has considered the Defendant's unopposed motion to proceed with sentencing by video or telephonic hearing, along with all the records and files in this case and the General Orders currently in effect.

THE COURT FINDS that the circumstances are as set forth in the Defendant's unopposed motion, and that a remote sentencing hearing via video or telephone may take place as soon as practicable because further delays in the case would cause "serious harm to the interests of justice," *see* General Order No. 04-30 (3/30/20), for the reasons set forth in the Defendant's unopposed motion.

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1 Following discussions with her counsel undersigned, Ms. Encinas asks to proceed
2 with sentencing as currently set on January 22, 2021, by remote hearing with video
3 conferencing as arranged by the court. Ms. Encinas has signed, through counsel, a waiver of
4 her personal appearance for purposes of sentencing Docket No. 429 and asks that the Court
5 proceed with sentencing on January 22, 2021.
6

7 Pursuant to General Order 04-20, felony sentencing may proceed by video or
8 telephone conferencing if “the district judge in a particular case finds for specific reasons that
9 the plea or sentencing in that case cannot be further delayed without serious harm to the
10 interests of justice.” Through subsequent General Orders, the Court has extended such
11 procedures until at least March 23, 2021. (General Order 17-20).
12

13 The interests of justice are served by proceeding with sentencing of Ms. Encinas
14 through remote video hearing at the currently set date. Health concerns resulting from the
15 Covid – 19 pandemic may continue to result in extended delays of sentencing. Ms. Encinas,
16 however, hopes to avail herself to substance abuse treatment and much needed medical
17 procedures that necessarily depend on successful completion of her sentence, whatever they
18 may be.
19

20 Based upon the findings set forth above the Court finds that further delay would cause
21 “serious harm to the interests of justice,” and does therefor

22 ORDER sentencing shall proceed on January 22, 2021 by way of remote court
23 hearing.
24

25 ORDER - 2

DATED this 8th day of January, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

/s/ Peter Mazzone

Peter Mazzone, WSBA#25262
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Everett, WA 98201

CERTIFICATE OF SERVICE

I hereby certify that on the January 7, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney(s) and persons of record. I hereby certify that I have served all non CM/ECF participants via United States Postal Service.

s/ Aleshia Johnson

Aleshia Johnson
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ORDER - 3

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